

# Order

Michigan Supreme Court  
Lansing, Michigan

November 29, 2005

Clifford W. Taylor,  
Chief Justice

129265

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 129265  
COA: 263293  
Wayne CC: 00-008301-01

JEROME A. HALE,  
Defendant-Appellant.

---

On order of the Court, the application for leave to appeal the June 30, 2005 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration under MCR subchapter 6.500. The Court of Appeals mistakenly dismissed defendant's delayed application for leave to appeal from the Wayne Circuit Court's April 26, 2005 order for lack of jurisdiction, citing MCR 6.502(G). The April 26, 2005 order denied relief from defendant's first motion for relief from judgment, which was apparently filed on November 24, 2003. The Wayne Circuit Court's June 15, 2004 order denied relief from defendant's second motion for relief from judgment, which defendant characterized as an amended motion, and which was apparently filed on May 7, 2004.



dl121

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 29, 2005

*Corbin R. Davis*

Clerk